IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 18TH OCTOBER 2007 / 26TH ASWINA 1929

RPFC.No. 176 of 2004()

MC.15/2003 of JUDL.MAGISTRATE OF FIRST CLASS COURT, ALATHUR

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: REVISION PETITIONER

P.M.JOSEPH, S/O.MANNUAL,
AGED 32 YEARS, FIELD OPERATOR,
FSP PRODUCTION APARTMENT, QATAR PETROLEUM,
DHUKHAN, QATAR.

BY ADV. SRI.P.M.SAJITHA
SMT.M.K.PUSHPALATHA

RESPONDENTS:

SMITHA, D/O.JOSEPH,
AGED 27 YEARS, THENGUMPILLLIL HOUSE,
KALLINGAL PADAM, PUNNIYANLEARE P.O., ALATHUR.

BY ADV. SMT.K.T.LILLY @ LILLY JAMES
PUBLIC PROSECUTOR SRI.K.M.FIROZ

THIS REV.PETITION(FAMILY COURT) HAVING BEEN FINALLY HEARD ON 18/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

R.P.(F.C.) No. 176 OF 2004

Dated this the 18th day of October, 2007

O R D E R

The revision petitioner who is the former husband of the respondent, was the counter petitioner in M.C. No.15/03 before JFCM, Alathur filed by the respondent seeking maintenance under section 125 Cr.P.C. As per the order dated 4.9.04 the petition for maintenance was allowed directing the revision petitioner to pay maintenance at the rate of Rs.3,000/- per month from the date of the order. It is the said order which is assailed in this revision by the husband.

2. When the matter came up for hearing today, it was represented by the learned counsel for the respondent/former wife that pursuant to a decree dissolving the marriage between the revision petitioner and the respondent, the respondent has remarried and that she is not interested in getting any amount whether past or future under the impugned order. In view of the above stand, the impugned order is set aside and M.C.No.15/03 will stand dismissed.

This revision will stand allowed as above.

(V. RAMKUMAR, JUDGE)

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